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FOR SOLE USE OF THE

Counsel for Defendant VILLEGAS ROBLES

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	No. CR-04-20027 RMW
)	
Plaintiff,)	STIPULATION AND PROPOSED
)	ORDER VACATING MARCH 18, 2013,
vs.)	STATUS HEARING AND TERMINATING
)	SUPERVISED RELEASE
MARIO VILLEGAS ROBLES,)	
)	
Defendant.)	

STIPULATION

Defendant Mario Villegas-Robles, by and through Assistant Federal Public Defender Varell L. Fuller, and the United States, by and through Assistant United States Attorney Joseph Fazioli, hereby stipulate that, with the Court's approval: (1) the status hearing currently set for Monday, March 18, 2012, at 9:00 a.m., shall be vacated; and (2) the defendant's supervised release shall be terminated, based upon his stipulated admission to Charge One of the Form 12, waiver of revocation hearing in accord with Fed. R. Crim. P. 32.1, the defendant's successful participation in drug treatment, and the joint request of the parties.

In support of this request, Mr. Villegas-Robles waives his right to a revocation hearing in

1 accord with Fed. R. Crim. P. 32.1, and hereby stipulates and admits as follows:

2 On December 4, 2012, during a home contact, the defendant submitted a drug test,
3 Specimen Number C01288260, which tested presumptive positive for amphetamines and
4 methamphetamine, in violation of standard condition number seven that the defendant refrain
5 from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any
6 controlled substances or any paraphernalia related to a controlled substance, except as prescribed
7 by a physician.

8 The parties further stipulate that Mr. Villegas-Robles's term of supervised release would
9 have expired on January 13, 2013, but for the December 4, 2012, violation, and the defendant has
10 made significant progress in substance abuse treatment since the violation and is presently
11 participating in community based services. Accordingly, the parties jointly request, based upon
12 Mr. Villegas-Robles's admission to Charge One and waiver of revocation hearing, that the Court
13 terminate Mr. Villegas Robles's term of supervision and vacate the March 18, 2013, hearing
14 date.

15 IT IS SO STIPULATED.

16 Dated: March 8, 2013

17 _____
18 /s/
VARELL L. FULLER
Assistant Federal Public Defender


19 Dated: March 8, 2013

20 _____
21 /s/
JOSEPH P. FAZIOLI
Assistant United States Attorney

22 Dated: March 8, 2013

23 _____
24 /s/
JUAN RAMIREZ
United States Probation Officer

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Dated: 3.8.13


Mario Villegas Robles
Defendant

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~~[Proposed]~~ ORDER

GOOD CAUSE APPEARING, upon stipulation of the parties, IT IS HEREBY
ORDERED that: (1) the status hearing set for March 18, 2013, is hereby vacated; and (2) based
upon the defendant's stipulated admission to Count One of the Form 12 and waiver of his right to
a revocation hearing in accord with Fed. R. Crim. P. 32.1, the defendant's supervised release is
hereby terminated.

IT IS SO ORDERED..

Dated: HFI BFH


The Honorable Ronald M. Whyte
United States District Court Judge